

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Faith S. Hochberg  
v. : Criminal No. 10-800 (FSH)  
ROGER ELKINS : SCHEDULING AND CONTINUANCE ORDER

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Lee Vartan, Assistant U.S. Attorney), and defendant Roger Elkins (by Henry Klingeman, Esq.), for an order setting the briefing and trial schedules in this matter and for an order granting a continuance of the proceedings in this matter:

IT IS ORDERED that defendant shall file any motions no later than January 31, 2011;

IT IS FURTHER ORDERED that any response to defendant's motions shall be filed no later than February 21, 2011;

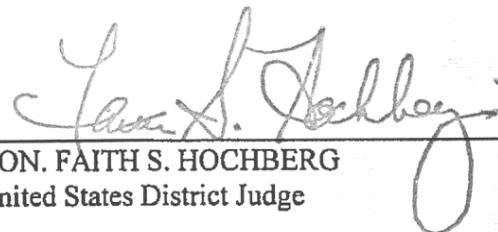
IT IS FURTHER ORDERED that any reply to the Government's response shall be filed no later than March 4, 2011;

IT IS FURTHER ORDERED that the trial in this matter is set for September 12, 2011; and

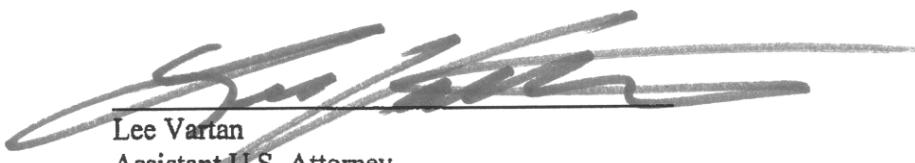
IT IS FURTHER ORDERED that the period from November 30, 2010 through September 12, 2011 shall be excludable in computing time under the Speedy Trial Act of 1974 because: (1) the parties are preparing to engage in preliminary discussions concerning entering into a plea agreement, and the defendant desires additional time to review discovery, and both the

United States and the defendant seek additional time to pursue such discussions, which may render trial of this matter unnecessary; (2) the defendant has consented to the continuance; (3) the grant of a continuance will likely conserve judicial resources; and (4) pursuant to Title 18 of the United States Code, Section 3161(h)(7)(A), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

Dated: December 14<sup>th</sup>, 2010

  
HON. FAITH S. HOCHBERG  
United States District Judge

Consented and Agreed to by:

  
Lee Vartan  
Assistant U.S. Attorney

 12/6/10

Henry Klingeman, Esq.  
Counsel for defendant Elkins